

EXHIBIT 19

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In Re:)
)
) No. 2:21-cv-00563-JCC
VALVE ANTITRUST LITIGATION)
)

VIDEO-RECORDED DEPOSITION UPON ORAL EXAMINATION OF
KASSIDY GERBER

*** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY ***

9:05 A.M.

THURSDAY, OCTOBER 5, 2023
701 FIFTH AVENUE, SUITE 5100
SEATTLE, WASHINGTON

Reported by: Tami Lynn Vondran, CRR, RMR, CCR/CSR
WA CCR #2157; OR CSR #20-0477; CA CSR #14435

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1 have you had any kind of training on any topic that you
2 understood to relate to antitrust?

3 MR. SKOK: And, again, Ms. Gerber, to the
4 extent you can answer this without disclosing
5 attorney-client communications, you may. But to the
6 extent that he's asking you about the content of
7 communications you've had with lawyers, that's
8 attorney-client privilege, so please don't disclose
9 that.

10 THE WITNESS: Okay.

11 Q. (BY MR. O'ROURKE) So it's a yes-or-no
12 question. Either you've had the training or you have
13 not.

14 MR. SKOK: Well, to the extent that she's had
15 those communications with lawyers, you're asking about
16 the substance of those attorney-client communications.

17 That's the type of communication that I'm
18 instructing you not to answer.

19 THE WITNESS: Okay.

20 Q. (BY MR. O'ROURKE) Your answer?

21 A. I'm not going to answer.

22 Q. You're refusing to answer?

23 A. Yes.

24 MR. SKOK: Well, she's been instructed not to
25 answer. I think she's following counsel's instructions.

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1 MR. O'ROURKE: So just so we're very clear,
2 Mr. Skok --

3 MR. SKOK: Skok, please. Skok.

4 MR. O'ROURKE: Skok. Thank you.

5 MR. SKOK: Thank you.

6 MR. O'ROURKE: You -- the position you're
7 taking now in instructing the witness not to answer is,
8 I am not permitted to ask an employee of Valve whether
9 or not that employee has had compliance training on
10 antitrust?

11 MR. SKOK: No. The question is asking for the
12 substance of what kind of training she may have had by
13 counsel. To the extent there's a training by counsel,
14 that would disclose the substance of attorney-client
15 communications. The instruction is not to answer in a
16 way that discloses the substance of attorney-client
17 communications. I did tell the witness if she can
18 answer otherwise, then she's free to.

19 Q. (BY MR. O'ROURKE) My question is: Have
20 you -- during the time you've worked at Valve, about 11
21 and a half years, have you had training on antitrust
22 compliance?

23 MR. SKOK: And the same instructions,
24 Ms. Gerber.

25 Q. (BY MR. O'ROURKE) You need to answer.

1 A. No. I'm not answering.

4 MR. SKOK: Yeah. It's probably a good time
5 for a break to consult on some of these issues --

7 MR. SKOK: -- as well as we've been going
8 about an hour.

11 (Brief break taken.)

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23 Q. (BY MR. O'ROURKE) [REDACTED]

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23 MR. SKOK: Object to the form.

24 Q. (BY MR. O'ROURKE) What's the difference?

25 MR. SKOK: Object to the form.

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